

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,)	
)	
Plaintiff,)	
)	C.A. No. 22-1377-MN
v.)	
)	JURY TRIAL DEMANDED
MASIMO CORPORATION and)	
SOUND UNITED, LLC,)	
)	
Defendants.)	
<hr style="border: 0.5px solid black;"/>		
MASIMO CORPORATION,)	
)	
Counterclaim-Plaintiff,)	
)	
v.)	
)	
APPLE INC.,)	
)	
Counterclaim-Defendant.)	

[PROPOSED] ORDER

At Wilmington, this ____ day of _____, 2023, having considered Plaintiff and Counterclaim-Defendant Apple Inc.'s Motion To Dismiss Masimo Corporation's Inequitable Conduct Counterclaim And Strike Its Affirmative Defense and the papers submitted in connection therewith;

IT IS HEREBY ORDERED THAT Plaintiff and Counterclaim-Defendant Apple Inc.'s Motion To Dismiss is GRANTED.

The Honorable Maryellen Noreika
United States District Judge